

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

NETLIST, INC.,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 2:21-CV-463-JRG
	)	
SAMSUNG ELECTRONICS CO., LTD.,	)	JURY TRIAL DEMANDED
SAMSUNG ELECTRONICS AMERICA,	)	
INC., SAMSUNG SEMICONDUCTOR,	)	
INC.,	)	
	)	
Defendants.	)	

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**DECLARATION OF JASON G. SHEASBY IN SUPPORT OF NETLIST'S  
PARTIAL MOTION FOR SUMMARY JUDGMENT FINDING JEDEC  
MATERIALS ARE NOT PUBLICLY ACCESSIBLE**

**I, Jason G. Sheasby, declare as follows:**

1. I am an attorney at the law firm of Irell & Manella LLP, counsel of record for Plaintiff Netlist, Inc. (“Netlist”) in the above-captioned action. I am a member in good standing of the State Bar of California and have been admitted to practice *pro hac vice* before this Court in this action. I provide this declaration in support of Netlist’s Partial Motion for Summary Judgment Finding JEDEC Materials are not Publicly Accessible. I have personal knowledge of the facts stated herein, and could and would testify completely thereto if called as a witness in this matter.

2. Attached as **Exhibit 1** is an excerpt of the opening expert report of John B. Halbert.

3. Attached as **Exhibit 2** is an excerpt of the opening expert report of Joseph C. McAlexander III.

4. Attached as **Exhibit 3** is an excerpt of the rebuttal expert report of Joseph C. McAlexander III.

5. Attached as **Exhibit 4** is an excerpt of the opening expert report of Dr. Gabriel Robins.

6. Attached as **Exhibit 5** is a true and correct copy of an email chain between members of Samsung and Netlist produced by Netlist in this Action.

7. Attached as **Exhibit 6** is a true and correct copy of a document titled “Membership,” accessible from the website of JEDEC Solid State Technology Association (“JEDEC”), [https://www.jedec.org/sites/default/files/JEDEC\\_MembershipBrochure.pdf](https://www.jedec.org/sites/default/files/JEDEC_MembershipBrochure.pdf) (last accessed Feb. 3, 2023)

8. Attached as **Exhibit 7** is a print-out of the webpage <https://www.jedec.org/join-jedec#:~:text=Members%20enjoy%20many%20benefits%2C%20including,to%20%2419%2C200%20per%20calendar%20year> (last accessed Feb. 2, 2023).

9. Attached as **Exhibit 8** is a true and correct copy of a print-out of the webpage <https://www.jedec.org/standards-documents/facet/document-types> (last accessed Feb. 2, 2023).

10. Attached as **Exhibit 9** is a true and correct copy of the cover pleading for Samsung's Invalidity Contentions served on June 29, 2022.

11. Attached as **Exhibit 10** is a true and correct copy of a print-out of the webpage <https://www.jedec.org/about-jedec/patent-policy> (last accessed Feb. 2, 2023).

12. Attached as **Exhibit 11** is a true and accurate record showing the metadata provided by JEDEC for the relevant documents it produced in this Action.

Executed on February 3, 2023, in Los Angeles, California.

By /s/ Jason G. Sheasby  
Jason G. Sheasby